

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DATHAN LEE LANE AND	)	
DONALD PARKER	)	
	)	
COMPLAINANTS	)	
	)	
v.	)	CASE NO. 2003-00399
	)	
GARRARD COUNTY WATER ASSOCIATION	)	
	)	
DEFENDANT	)	

O R D E R

On March 30, 2004, Donald Parker advised the Commission that he was unable to attend the scheduled hearing in this matter because of a recent injury and requested a continuance. The Commission granted the request and continued the matter generally. As of the date of this Order, Mr. Parker has not contacted the Commission regarding his current ability to participate in this proceeding.

Finding that continued inaction in this proceeding would unduly prejudice the rights of Dathan Lee Lane, the Commission HEREBY ORDERS that:

1. Within 20 days of the date of this Order, Mr. Parker shall advise the Commission in writing of his ability to participate in this proceeding.
2. If no response is received from Mr. Parker within 20 days of the date of this Order, he shall be dismissed as a party to this case for failure to prosecute, and the proceeding shall continue with Mr. Lane as the sole complainant.

3. If Mr. Parker advises the Commission that he continues to be unable to participate in this proceeding, the Commission will sever the two complaints against Garrard County Water Association, redocket Case No. 2002-00414, and proceed to hearing with Mr. Lane's complaint.

Done at Frankfort, Kentucky, this 15<sup>th</sup> day of October, 2004.

By the Commission

ATTEST:

  
Executive Director